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United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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(U-069)

Moab District
San Juan Resource Area
P.O. Box 7
Monticello, Utah 84535

RECEIVED
SEP 21 1989

SEP 19 1989

DIVISION OF
OIL, GAS & MINING

Mr. Holland Shepherd
State of Utah
Department of Natural Resources
Division of Oil, Gas and Mining
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Mr. Shepherd:

With regard to the recent disturbance of the Dusty Mine and associated access road in Monument Canyon, T.36 S., R.25 E., Sections 26, 35 and 36, San Juan County, Utah, we would like to notify you of our plans for reclamation of the site.

As you well know, Mr. Don Randolph has leased the mine from the claimant of record (Mr. J.B. Sanchez of Cortez, Colorado). The mine site and access road were redisturbed early this spring for mining purposes. The existing road was unnecessarily widened to an average width of 25 to 30 feet. These activities were in violation of Federal regulations 43 CFR, subpart 3809, as a Notice of Intent was never filed with this office.

Mr. Randolph has been notified that the operation is in noncompliance, and he has accepted responsibility for all reasonable reclamation work which the Bureau of Land Management (BLM) and Utah Division of Oil, Gas and Mining (UDOGM) deem necessary. This would include all areas of new disturbance which resulted from the recent mining operation, provided reclamation does not interfere with his future mining operation.

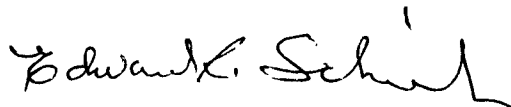
This office feels that, since the road was preexisting and is a common access for other claim holders, it would be unreasonable to require complete reclamation on the part of Mr. Randolph. In addition, operators are entitled access to their operations pursuant to provisions of the mining laws; therefore, the BLM cannot legally require reclamation and closure of the road at this time.

We intend to have Mr. Randolph restore the road to its approximate original width and will also require that water bars are constructed to provide drainage of surface runoff to reduce erosional damage. However, we feel that the public's best interest will be served by leaving the subject road open in order to maintain access into the area for future multiple use.

We will notify Mr. Randolph in writing as to our specific reclamation needs and will require that a Notice of Intent be filed with the BLM. A copy of the Notice will be forwarded to your office. To better expedite the process and to avoid confusion to the operator, we recommend that the BLM and UDOGM coordinate reclamation requirements and notify the operator through one letter. Ted McDougall of our office will contact you by phone concerning the specific reclamation practices used on BLM administered land. If you are in agreement with these standards and have no objection, we could apply these same standards to the portion of the road crossing State land.

We appreciate your efforts and cooperation in resolving this matter. If you have any questions or would like to discuss the matter further, please contact Ted McDougall at (801) 587-2141.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Edward K. Schuch". The signature is fluid and cursive, with a prominent initial "E" and a long, sweeping underline.

Area Manager